IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

TUESDAY, THE 9TH JANUARY 2007 / 19TH PAUSHA 1928

WP(C).No. 897 of 2007(F)

PETITIONER:

V.S.KAMALAKSHI, W/O. V.E.RAGHAVAN,
AGED 60, THANGALUR HOUSE,
P.O. THANGALUR, MULANKUNNETHUKAVU, THRISSUR,
(RETIRED SCHOOL TEACHER, G.U.P.S. ATTOOR
(UNDER WADAKANCHERY A.E.O. THRISSUR).

BY ADV. SRI.G.SREEKUMAR (CHELUR)

RESPONDENTS:

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1. THE SECRETARY TO THE GOVERNMENT,
EDUCATION DEPARTMENT,
GOVERNMENT SECRETARIATE,
THIRUVANANTHAPURAM.

2. THE DIRECTOR OF PUBLIC INSTRUCTIONS,
OFFICE OF THE DIRECTOR OF PUBLIC INSTRUCTIONS,
THIRUVANANTHAPURAM.

3. THE DEPUTY DIRECTOR OF EDUCATION,
COLLECTORATE, AYYANTHOLE,
THRISSUR.

4. THE ASSISTANT EDUCATIONAL OFFICER,
VADAKKANCHERRY.

BY GOVT. PLEADER SRI. A.J. VARGHESE.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 09/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.M.JOSEPH, J.

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WP.(C) No. 897 OF 2007

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Dated this the 9th day of January, 2007

JUDGMENT

Case of the petitioner in brief is as follows:

Petitioner is a retired teacher. She is a member of the Scheduled Caste community. She completed 17 years service in the Education Department. There is a Government Order, as per which those trained teachers who have failed in the training examination but who have to their credit service of 15 years as teacher and who have completed 40 years of age will be exempted from possession of training qualification. Petitioner completed training but failed in the examination. Therefore petitioner relies on the Government Order. According to her she is entitled to pension and other related benefits. She is denied both. She made representations. Exts.P2 and P3 are said to be the representations.

2. It is submitted by the learned counsel for the petitioner that no decision is taken on the same. The prayer in the writ petition is for a direction to the respondents, especially the first respondent to examine

the claim of the petitioner and thereafter disburse the service benefits as also the retirement benefits as claimed in Exts.P2 and P3 within such time as may be fixed.

2. I heard learned Government Pleader also. In view of the fact that the complaint is relating to non-payment of the dues allegedly due to her, I feel that a decision should be taken on Exts.P2 and P3 within a time limit.

There will be a direction to the first respondent to consider and take a decision on Exts.P2 and P3 in accordance with law as expeditiously as possible, at any rate within a period of one month from the date of receipt of a copy of this judgment. Whatever benefits are found due shall be paid without delay. Petitioner will produce a copy of the writ petition also before the first respondent to facilitate a decision to be taken. I leave open the contentions of the petitioner.

The writ petition is disposed of as above.

(K.M. JOSEPH, JUDGE)

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K.M.JOSEPH, JJ.

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W.A. No. OF

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JUDGMENT

Dated this the day of February, 2006.